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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/685,419	10/10/2000	Guojun Zhou	042390.P9908	5003

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EXAMINER

AZAD, ABUL K

ART UNIT PAPER NUMBER

2654

DATE MAILED: 12/02/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/685,419

Applicant(s)

ZHOU, GUOJUN

Examiner

ABUL K. AZAD

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-13 and 15-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-13 and 15-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This action is in response to the communication filed on 12 September 2002.
2. Claims 1, 3-13 and 15-35 are pending in this action. Claims 1, 3-8, 13, 15-20, 25-28, 31 and 33-35 have been amended. Claims 2 and 14 have been canceled.
3. The applicant's arguments with respect to claims 1, 3-13 and 15-35 have been fully considered but they are not deemed to be persuasive. For examiner's response to the applicant's arguments or comments, see the detailed discussion in the Response to the Arguments section.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 3, 5, 6, 9, 10, 12, 13, 15, 17-18, 21-22, 25-26 and 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Junqua et al. (US 6,324,512) in view of Cohen et al. (EP 1 014 277).

As per claim 1, Junqua teaches, "a method of interfacing a interfacing to a system comprising"

"receiving voice input data from a user" (col. 2, lines 52-61, user's spoken instruction);

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"converting the voice input data into a first text in the identified language by recognizing the user's speech in the voice input data based at least in part on the language identifier" (col. 2, lines 52-61, reads on "the user spoken instructions are converted into text by speech recognizer");

"parsing the first text to extract a keyword" (col. 2, lines 52-61, parser);

"using the key word as a command to an application" (col. 3, lines 9-17, reads on "if the use's instruction is sufficiently refined to constitute a command, the unified access controller sends a control command to the digital tuner");

"receiving results to the command" (col. 3, lines 1-31, reply as the results);

"converting the results into a second text in a natural languages format according to the identified language; and rendering the second text for perception by the user" (col. 3, lines 1-17, reads on "the unified access controller then sends a text message (second text) to the speech synthesizer, which, in turn, synthesizes a spoken reply").

Junqua does not teach, "identifying a language spoken by the user from the voice input data". However, Cohen teaches, "identifying a language spoken by the user from the voice input data" (col. 3, line 56 to col.8, language recognition/identification). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to identify a language spoken by user as teaches by Cohen so that a language identification is achieved from a plurality of languages for using in translation.

As per claim 3, Junqua teaches, "rendering comprises converting the second text into speech and rendering the speech to the user" (col. 3, lines 1-31, reads on "the

unified access controller then sends a text message (second text) to the speech synthesizer, which, in turn, synthesizes a spoken reply”).

As per claim 5, Junqua teaches, “using the key word as a search query to a search engine, wherein the results comprises search results from the search engine operating on the search query” (col. 3, lines 1-31).

As per claim 6, Junqua teaches, “automatically summarizing the results prior to converting the results to the second text” (col. 3, lines 18-34, reads on “if the requested program is found, a dialog manager formulates a response (summarized). . . sends a text message (results to second text)”).

As per claim 9, Junqua teaches, “the application comprises a web browser” (web browser is inherent because here uses TCP/IP protocols for Internet access, see at col. 3, lines 41-48).

As per claim 10, Junqua teaches, “wherein the web browser interfaces with a search engine and command comprises a search query” (col. 3, lines 1-48, queries).

As per claims 13, 15 and 25-26, they are interpreted and thus rejected for the same reasons set forth in the rejection of claims 1 and 3.

As per claims 17-18, 21-22 and 28-30, they are interpreted and thus rejected for the same reasons set forth in the rejection of claims 5-6 and 9-10.

As per claim 12 and 24, Junqua teaches, “wherein the speech comprises conversational speech” (col. 4, lines 35-51, here uses a natural language as conversational speech).

6. Claims 4, 7, 8, 16, 19, 20, 27, 31 and 33-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Junqua et al. (US 6,324,512) in view of Cohen et al. (EP 1 014 277) as applied to claims 1, 2, 13, 14, 25 above 31 above, and further in view of Nosohara (EP 0 838 765).

As per claims 4, 7 and 8, Junqua and Cohen do not teaches: "automatically translating the keyword into a plurality of languages other than the identified language and using the translated keywords a search query to a search engine, wherein the results comprises search results from the search engine operating on the search query."

"automatically translating search result in languages other than the identified language to the identified language".

However, Nosohara teaches, "translating the keyword into a plurality of languages other than the identified language and using the translated keywords a search query to a search engine, wherein the results comprises search results from the search engine operating on the search query" (col. 3, lines 6-22, reads on "translate the keyword input by searcher into another language used in the document to be searched");

"translating search result in languages other than the identified language to the identified language" (col. 3, lines 6-22; translate the documents stored in the search result storage means to the designated language).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use Nosohara's teaching so that optimum search result is obtained from a verity of database using translation of the keyword.

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As per claims 16, 19, 20, 27, 31 and 33, they are interpreted and thus rejected for the same reasons set forth in the rejection of claims 4, 7 and 8.

As per claims 34 and 35, they are interpreted and thus rejected for the same reasons set forth in the rejection of claims 2 and 6.

7. Claims 11, 23 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Junqua in view of Cohen as applied to claims 9, 21 and 29 above, and further in view of Well known prior art (MPEP 2144.03).

As per claims 11, 23, and 32, Junqua and Cohen do not teaches, "the web browser interfaces with a shopping web site and command comprises at least one of purchase order and a request for product information". Official Notice is taken on shopping web browser. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use a shopping web browser so that it would be convenient to use shopping web browser using speech command.

Response to Arguments

8. The applicant argues: "Junqua does not teach anything about the invention as claimed. Since Junqua does not tech or suggest receiving result to the command and converting the results into a second text in a natural language format according to identified language, Junqua does not teach or suggest amended claim 1".

The examiner notes that Junqua teaches above limitation at col. 3, lines 1-31, reads on "the unified access controller then sends a text message (second text) to the speech synthesizer, which, in turn, synthesizes a spoken reply". Here, text message is the second text in a natural language format. This text message is inherently converted

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from the machine language to the natural language text format, which is basically different than the first text command.

9. The applicant argues: "in claim 5 of the present invention, the key word is used as a search query to a search engine. The results are search results coming back from the search engine. In other words, the results are what the search engine has found. Junqua's system does not teach or suggest these limitations in claim 5".

The examiner disagrees with the applicant's assertion. Junqua teaches this limitation at col. 3, lines 18-31. The example is given here, which searches using key word as a query to a search engine, if requested search is found. The dialog manager formulate a response.

10. The applicant further argues: "Junqua teaches or suggest nothing about automatic summarization".

The examiner notes that Junqua teaches above limitation at col. 3, lines 18-34, reads on "if the requested program is found, a dialog manager formulates a response (summarized). . . sends a text message (second text) to the speech synthesizer".

11. The applicant argues: "since TCP/IP existed for many years before before a web browser was invented, a reference to TCP/IP does not inherently teach or suggest a web browser. Therefore, claim 9 is not inherent from the cited text of Junqua".

In response to applicant argument the examiner notes that the examiner does not said that Jaunqua show TCP/IP so inherently teaches a web browser, instead the examiner said that web browser is inherent because Jaunqua uses TCP/IP protocols for Internet access (col. 3, lines 41-48).

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12. The applicant argues: "the web browser used in the present invention is an interface to the described search system which operates over the Internet. The "queries" taught in Junqua's system are totally different from the "query" described in the present invention".

The examiner disagrees with applicant's assertion, because here in Junqua also described search system or queries, which operates over the Internet see col. 3, lines 18-48.

13. The applicant argues: "it is clear Nosohara requires that the destination language be specifically selected before the translation means can translate a key word from the searcher's native language (col. 4, lines 32-57 of Nosohara, reads on "the language used to define the search conditions is selected by the searcher and then the database to be searched (destination language) are designated . . ."). In other words, the selection of the destination language for the key word translation is performed manually by the user. Nosohara, teaches or suggests nothing about the limitations in the amended claims 4 and 7, which recite automatic destination language selection and translation".

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., automatic destination language selection) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

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Further Nosohara teaches, automatic translation, which is done by translation means as applicant indicated.

Conclusion

14. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Abul K. Azad** whose telephone number is **(703) 305-3838**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Marsha D. Banks-Harold**, can be reached at **(703) 305-4379**.

Any response to this action should be mailed to:

Commissioner for Patents

Washington, D.C. 20231

Or faxed to:

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(703) 872-9314

(For informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center's Customer Service Office whose telephone number is **(703) 306-0377**.

Abul K. Azad

November 27, 2002

Marsha D. Banks-Harold
MARSHA D. BANKS-HAROLD
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